CITY OF SAN ANTONIO Zoning Commission Agenda

Cliff Morton Development and Business Services Center 1901 S. Alamo Street Board Room

February 2, 2010 Tuesday, 11:30 PM

ZONING COMMISSIONERS

Carolyn Kelley – District 1

Bennie Cole – District 2

Andrew Anguiano – District 3

Jim Myers – District 4

Joe Valadez – District 5

Christopher Martinez – District 6

David Christian – District 7

Billy J. Tiller – District 8

Milton R. McFarland – District 10

James Gray – District Mayor

Susan Wright – District 9

Chair

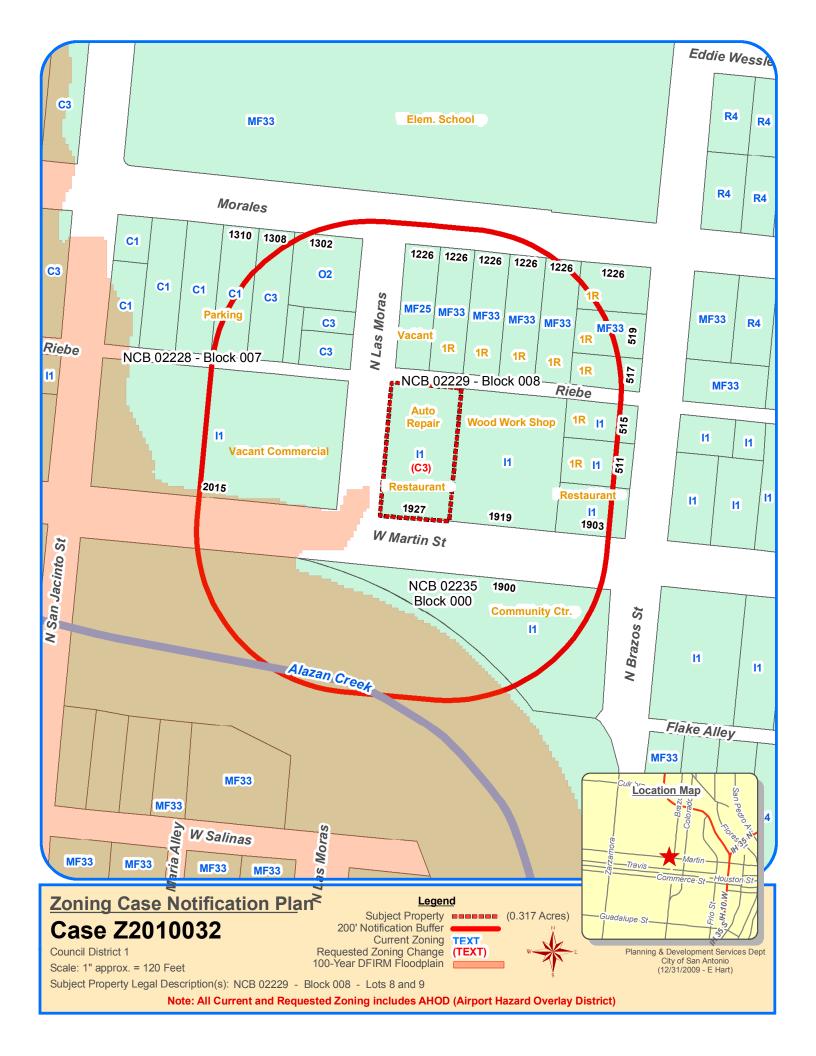
- 1. **11:30 AM** Work Session discussion of Unified Development Code requirements and procedures as they relate to the rezoning process, zoning interpretations, zoning districts, policies and administrative procedures, and any items for consideration on the agenda for February 2, 2010.
- 2. 1:00 P.M. Board Room– Call to Order.
- 3. Roll Call.
- 4. Pledge of Allegiance.
- 5. Approval of January 19, 2010 Zoning Commission Minutes.
- 6. **ZONING CASE NUMBER Z2010032:** A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on Lot 8 and Lot 9, Block 8, NCB 2229, 1927 West Martin Street. (Council District 1)
- 7. **ZONING CASE NUMBER Z2010035:** A request for a change in zoning from "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District, "I-1 AHOD S" General Industrial Airport Hazard Overlay District with a Specific Use Authorization for a Helistop, and "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on 25.675 acres out of Lot 4, Block 6, NCB 12816, 4502 Medical Drive. (Council District 8)
- 8. **ZONING CASE NUMBER Z2010037:** A request for a change in zoning from "C-1 PUD MLOD-1 AHOD CD" Light Commercial Planned Unit Development Military Lighting Overlay Airport Hazard Overlay District with a Conditional Use for a Bank to "C-2 PUD MLOD-1 AHOD" Commercial Planned Unit Development Military Lighting Overlay Airport Hazard Overlay District on Lot 1 and Lot 2, Block 3, NCB 17160, 1418 Walkers Way. (Council District 9)

- 9. **ZONING CASE NUMBER Z2010039 CD:** A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 AHOD CD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for an Art Studio/Office on North 83.55 feet of Lot 1A and north 83.55 feet of Lot 1B, Block 8, NCB 2431, 2120 and 2122 El Paso Street. (Council District 5)
- 10. **ZONING CASE NUMBER Z2010040 HS:** A request for a change in zoning from "C-2 NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to "HS C-2NA AHOD" Historic Significant Commercial Nonalcoholic Sales Airport Hazard Overlay District on Lots 4 through 10, Parcel 100, Block 48, NCB 2742, 1400 Block of Fredericksburg Road. (Council District 1)
- 11. Executive Session: consultation on attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.

12. **ADJOURNMENT.**

Accessibility Statement

This meeting is wheelchair accessible. Accessible entrances are located at the front and side of the building at 1901 South Alamo Street. Accessible parking spaces are located at the front and rear of the building. Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight [48] hours prior to the meeting). For Assistance, Call (210) 207-7245 Voice/TTY.



Final Staff Recommendation - Zoning Commission

Date: February 02, 2010

Council District: 1

Ferguson Map: 616 B4

Applicant Name: Owner Name:

Mary Rodriguez Mario & Mary Rodriguez

Zoning Request: From "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-3 AHOD" General

Commercial Airport Hazard Overlay District.

Property Location: Lot 8 and Lot 9, Block 8, NCB 2229

1927 West Martin Street

At the northeast corner of West Martin Street and North Las Moras

Proposal: To bring existing commercial and retail uses into compliance

Neigh. Assoc. Gardendale Neighborhood Association; within 200 feet of the Prospect Hill Neighborhood

Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis (TIA) is not required because there is no proposed new

development or change of use.

Staff Recommendation:

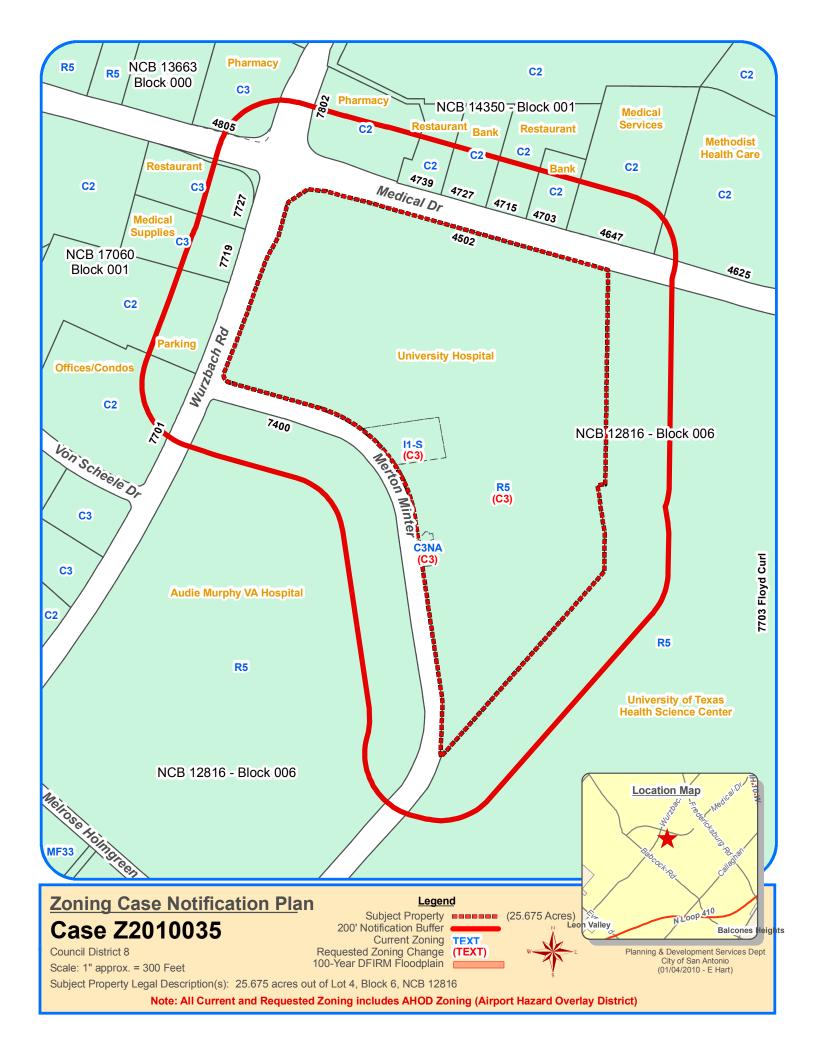
Denial.

The subject property, located at the northeast corner of West Martin Street and North Las Moras, is 0.3171 of an acre in size. The existing commercial structure measures approximately 1088 square feet and was built in 1958. The property is located within the City Limits as they existed in 1938. The subject property was originally zoned "J" Commercial District. Upon adoption of the 2001 Unified Development Code, the previous zoning district converted to the current "I-1" General Industrial District. Surrounding zoning includes "I-1" abutting to the east and adjacent to the south and across West Martin Street and North Las Moras; a mix of commercial districts to the northwest; and "MF-25" and "MF-33" Multi-Family Districts to the north. Surrounding land uses include a wood working shop and single family homes to the east; a community center, park and Alazan Creek to the south; a funeral home and parking lot to the north and northwest; and single-family homes to the north. The applicant requests a "C-3" General Commercial District in an effort to bring the existing automotive repair, restaurant, and beauty salon into compliance, while also allowing future retail and service businesses.

Staff finds the requested zoning to be too intense for the subject property due to its location and surrounding uses. The property is located at a minor intersection, abutting single-family residences. Many of the uses permitted in the "C-3" district are too intense to be located directly abutting residential uses. Typically, uses permitted in the "C-3" zoning district are categorized as Regional Commercial land uses, and as such are most appropriately located at the intersections of major arterial thoroughfares and should include adequate buffering to protect surrounding residential uses.

Staff recognizes that the existing multi-family and industrial zoning districts in the area are more intense than the existing pattern of single-family residential and commercial development. There are many commercial properties in industrial zoning districts (like the subject property), and many single-family residences in multi-family zoning districts. Staff supports the continued commercial use of those properties fronting onto West Martin Street, including the subject property. However, staff believes that the requested zoning change only furthers the current pattern of excessively-intense zoning.

CASE MANAGER: Micah Diaz 207-5876



Final Staff Recommendation - Zoning Commission

Date: February 02, 2010

Council District: 8

Ferguson Map: 580 F1

Applicant Name: Owner Name:

Mark Webb, V. P. Facilities

Development/Project Management

Bexar County Hospital District d/b/a/University Health System

Zoning Request: From "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay

District, "I-1 AHOD S" General Industrial Airport Hazard Overlay District with a Specific Use Authorization for a Heliport, and "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District.

Property Location: 25.675 acres out of Lot 4, Block 6, NCB 12816

4502 Medical Drive

At the southeast corner of Medical Drive and Wurzbach Road

Proposal: To allow a hospital

Neigh. Assoc. The nearest neighborhood association is the Dreamhill Estates Neighborhood Association

Neigh. Plan None

TIA Statement: A Level 1 Traffic Impact Analysis can be postponed until platting or permitting.

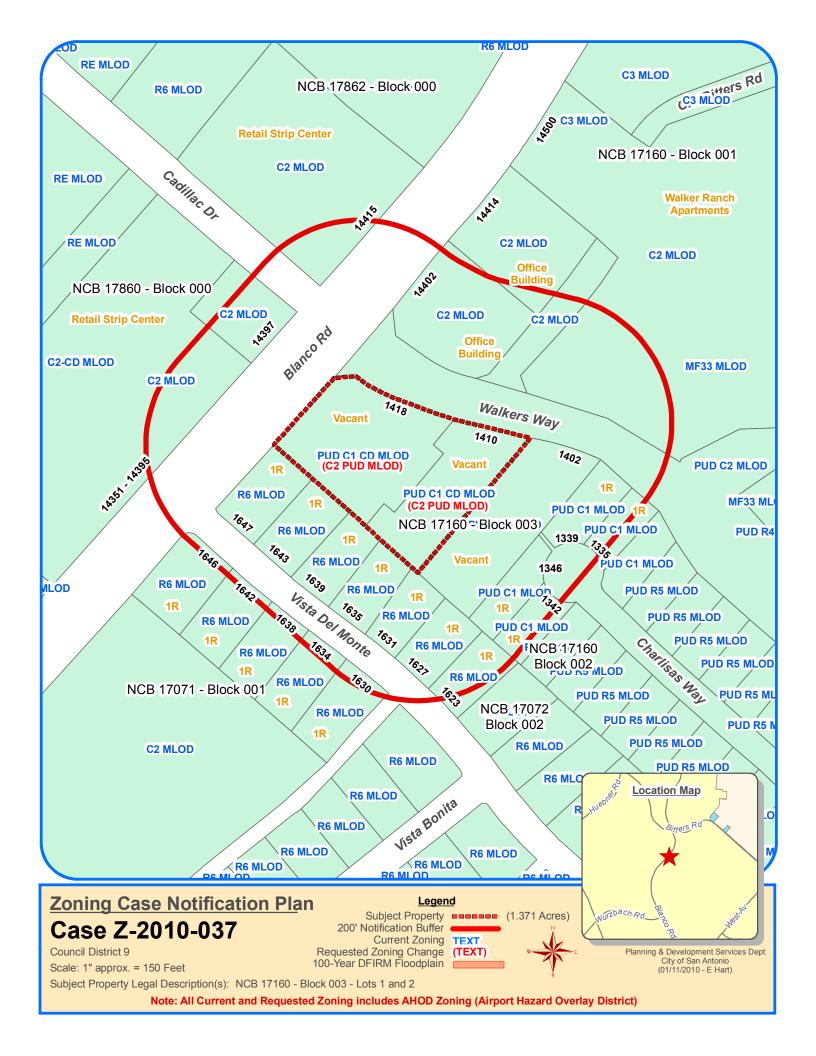
Staff Recommendation:

Approval.

The subject property consists of approximately 26 acres of land located at the southeast corner of Medical Drive and Wurzbach Road, and is currently developed as a hospital. The Medical Center area, including the subject property, was annexed in 1963, per Ordinance #31907. The subject property was originally zoned "A" Single Family Residence District. In 1996 and 1997, two portions of the subject property were rezoned to "B-3NA" Business Nonalcoholic Sales District and "I-1 CC" Light Industry District with special City Council approval for a heliport. Upon adoption of the 2001 Unified Development Code, the previous zoning districts converted to the current "R-5" Residential Single-Family District, "C-3NA" General Commercial Nonalcoholic Sales District, and "I-1 S" General Industrial District with a Specific Use Authorization for a heliport. Surrounding land uses include other hospitals along with retail and service businesses, many of which provide medical and support services for the hospitals.

Staff finds the requested zoning to be appropriate due to the pattern of development surrounding the property, as well as the subject property's location at a major intersection. The rezoning is being sought to accommodate significant reconstruction of the existing University Hospital. The Medical Center area has long been established as a regional hub for the health care industry; and, as such, much of the existing residential and commercial development in the area serves to support the medical industry. Moreover, the requested "C-3" zoning district is generally considered appropriate for locations at the intersection of two arterial thoroughfares. The City's Major Thoroughfare Plan identifies both Medical Drive and Wurzbach Road as Secondary "Type A" Arterial roadways.

CASE MANAGER: Micah Diaz 207-5876



Final Staff Recommendation - Zoning Commission

Date: February 02, 2010

Council District: 9

Ferguson Map: 516 B7

Applicant Name: Owner Name:

MFT Interest GP, LLC A Texas Ltd Liability Co. Sterling Bank (Attn. Mike Denson)

Zoning Request: From "C-1 PUD MLOD-1 AHOD CD" Light Commercial Planned Unit Development Military

Lighting Overlay Airport Hazard Overlay District with a Conditional Use for a Bank to "C-2 PUD MLOD-1 AHOD" Commercial Planned Unit Development Military Lighting Overlay Airport

Hazard Overlay District.

Property Location: Lot 1 and Lot 2, Block 3, NCB 17160

1418 Walkers Way

On the south corner of Walkers Way and Blanco Road

Proposal: To develop an Assisted Living Facility

Neigh. Assoc. Vista Del Norte Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis (TIA) is not required.

Staff Recommendation:

Approval

The subject property is located on the north side of San Antonio, on the southeast corner of Walkers Way (a local residential street) and Blanco Road (a Secondary Arterial "Type B" road). The proposed project would be located on a vacant tract of land that was annexed in July of 1981. The surrounding zoning includes "R-6 MLOD-1 AHOD" Residential Single-Family Military Lighting Overlay Airport Hazard Overlay District to the southwest, "C-1 PUD MLOD-1 AHOD" Light Commercial Planned Unit Development Military Lighting Overlay Airport Hazard Overlay District to the southeast with "C-2 MLOD-1 AHOD" Commercial Military Lighting Overlay Airport Hazard Overlay District across Walkers Way to the northeast and across Blanco Road to the northwest. The Airport Hazard Overlay District was added by Ordinance #37324 (1969) and Ordinance #55085 (1982). The Military Lighting Overlay District was added by Ordinance #0947 (2009).

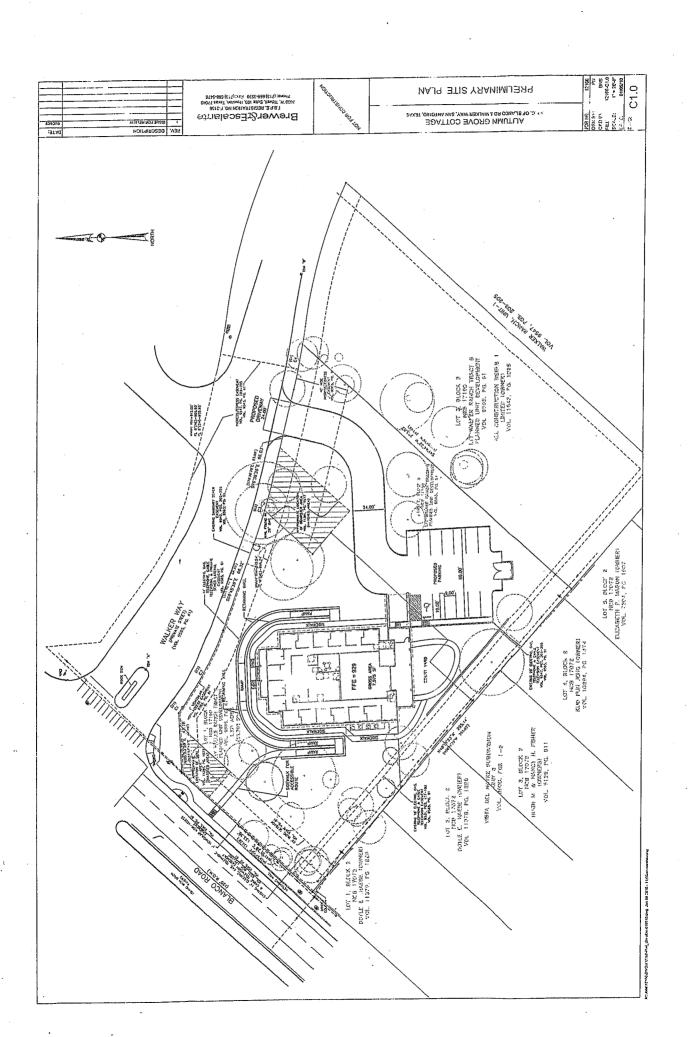
The subject property consists of a 1.371 acre portion of a larger 2.16 acre tract that was designated for commercial in the approved PUD plan dated April 26, 2000. The subsequent zoning was "C-1 PUD" Light Commercial Planned Unit Development District. The rezoning request is for a "C-2 PUD MLOD-1 AHOD" in order to develop an Assisted Living Facility. This property was part of a commercial planned unit development that was never developed. Considering the surrounding zoning and uses, the requested zoning is compatible with the surrounding uses. The request of the "C-2" zone with a PUD is appropriate at this location given that it is located off Blanco Road, which is an arterial road. Additionally, the request is consistent with the zoning at this intersection. The proposed zoning would provide an opportunity to limit the impact of the proposed use on the neighborhood and adjacent single-family dwellings with landscaping and landscape buffers. The remaining "C-1 PUD MLOD-1 AHOD" to the southeast will provide an appropriate transition to the proposed "C-2 PUD MLOD-1 AHOD". Furthermore, zoning change to the "C-2" district will allow for the size of the proposed facility. The proposed Assisted Living Facility will be approximately 7,075 square feet in size. Individual buildings in the "C-1" district cannot exceed 5,000 square feet.

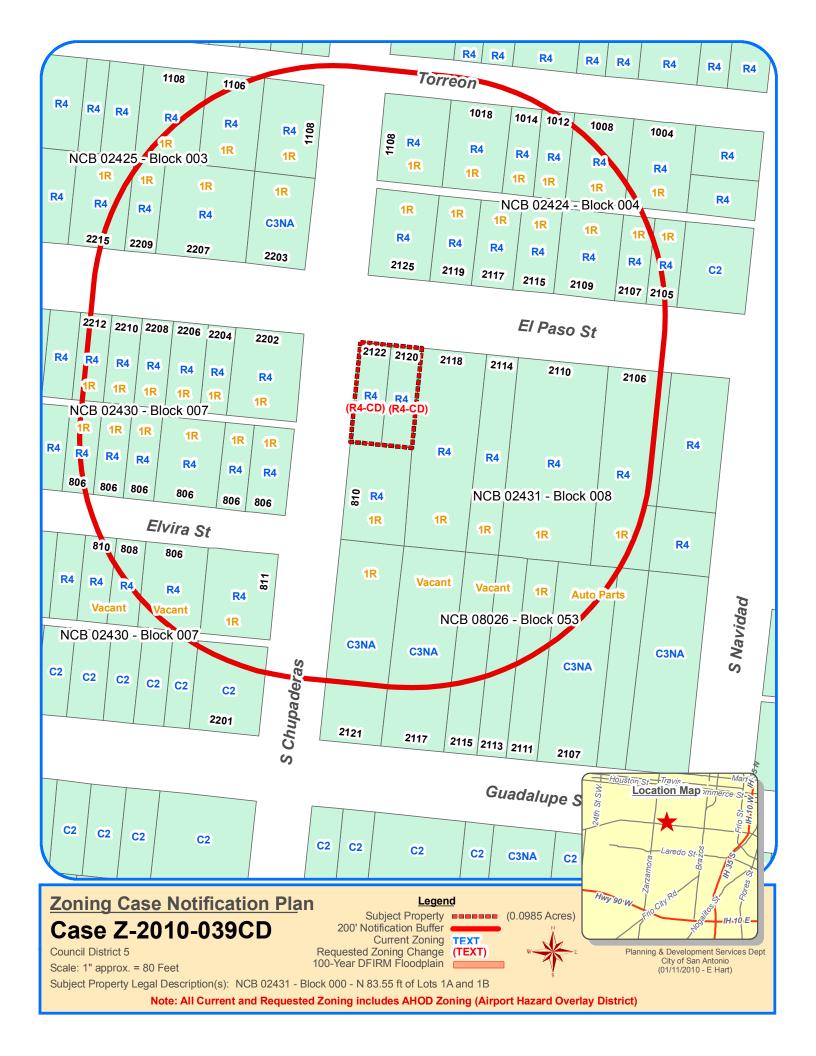
Final Staff Recommendation - Zoning Commission

A previous application was filed for this property, requesting a change to "C-2 PUD" Commercial Planned Unit Development District. Staff recommended approval with the following condition: 1. On site lighting shall use permanently affixed cut off fixtures of 90 degrees or less, the Zoning Commission recommended approval with the following condition: 1. On site lighting shall use permanently affixed cut off fixtures of 90 degrees or less on December 5, 2006. City Council approved of "C-1 PUD CD" Light Commercial Planned Unit Development District with a Conditional Use for a Bank with the following condition: 1. On site lighting shall use permanently affixed cut off fixtures of 90 degrees or less on January 18, 2007.

Autumn Grove Cottage (the proposed Assisted Living Facility) would offer care of seniors with memory loss in a home environment. No more than 16 residents will live at Autumn Grove Cottage, which is regulated by the State of Texas and their license would restrict them from having more.

CASE MANAGER: Pedro Vega 207-7980





CASE NO: Z2010039 CD

Final Staff Recommendation - Zoning Commission

Date: February 02, 2010

Council District: 5

Ferguson Map: 616 A6

Applicant Name: Owner Name:

Heather Eichling Cavazos Ventures, LLC

Zoning Request: From "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 AHOD"

CD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for an

Art Studio/Office.

Property Location: The north 83.55 feet of Lot 1A and the north 83.55 feet of Lot 1B, Block 8, NCB 2431

2120 and 2122 El Paso Street

On the southeast corner of El Paso Street and Chupaderas Street

Proposal: To allow for an Art Studio/Office

Neigh. Assoc. Avenida Guadalupe Association, Inc.

Neigh. Plan Guadalupe Westside Community Plan

TIA Statement: A Traffic Impact Analysis (TIA) is not required.

Staff Recommendation:

Approval

The Guadalupe Westside Community Plan designates the subject property as Low Density Residential Land Use. The applicant is requesting a conditional use for an Art Studio/Office be attached to the existing "R-4 AHOD" zoning on the subject property. The zoning request does not include a change to the base zoning so a finding of consistency is not required.

The subject property is located west of Downtown, on the southeast corner of El Paso Street and Chupaderas Street. The subject property is occupied by a vacant commercial structure that measures approximately 1,000 square feet with ingress/egress on Chupaderas Street. The property consists of 0.1161 of an acre and the existing structure was constructed in 1942. The surrounding zoning includes "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to the east, south and across El Paso Street to the north and across Chupaderas Street to the west. "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District is located on the northwest corner of El Paso Street and Chupaderas Street. Upon adoption of the 2001 Unified Development Code, the existing "R-4" Residential Single-Family District converted from the previous "R-7" Small Lot Residence District. The Airport Hazard Overlay District was added by Ordinance #37324 (1969) and Ordinance #55085 (1982).

The applicant is requesting a zoning change to allow an Art Studio/Office, which requires a Conditional Use in an "R-4" zoning district. The application of a Conditional Use provides an opportunity to limit the impact of the proposed use on surrounding properties. The applicant is seeking a Conditional Use for the purpose of re-locating the San Anto Cultural Arts office headquarters. The request will allow San Anto to continue to impact the Westside and provide the organization with sufficient space to provide quality level programming to area youth. Local youth are given an opportunity to experience art collaboratively while enhancing public spaces and participate in community development. The proposed rezoning would allow re-use and rehabilitation of the existing vacant property which would be a substantial improvement to the current conditions of the neighborhood and the surrounding area.

CASE NO: Z2010039 CD

Final Staff Recommendation - Zoning Commission

A zoning change request for a Conditional Use requires the applicant to submit a site plan of the subject property that includes all existing and proposed development. Per UDC Section 35-422, the following conditions shall apply to the operation of nonresidential conditional uses permitted within any residential district, unless otherwise approved by the City Council: 1. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure. 2. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood. 3. Business or office hours of operations shall not be permitted before 7:00 a.m. or after 6:00 p.m.

CASE MANAGER: Pedro Vega 207-7980



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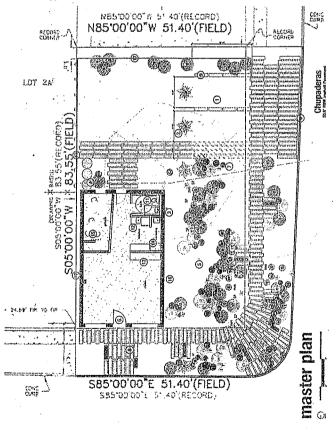
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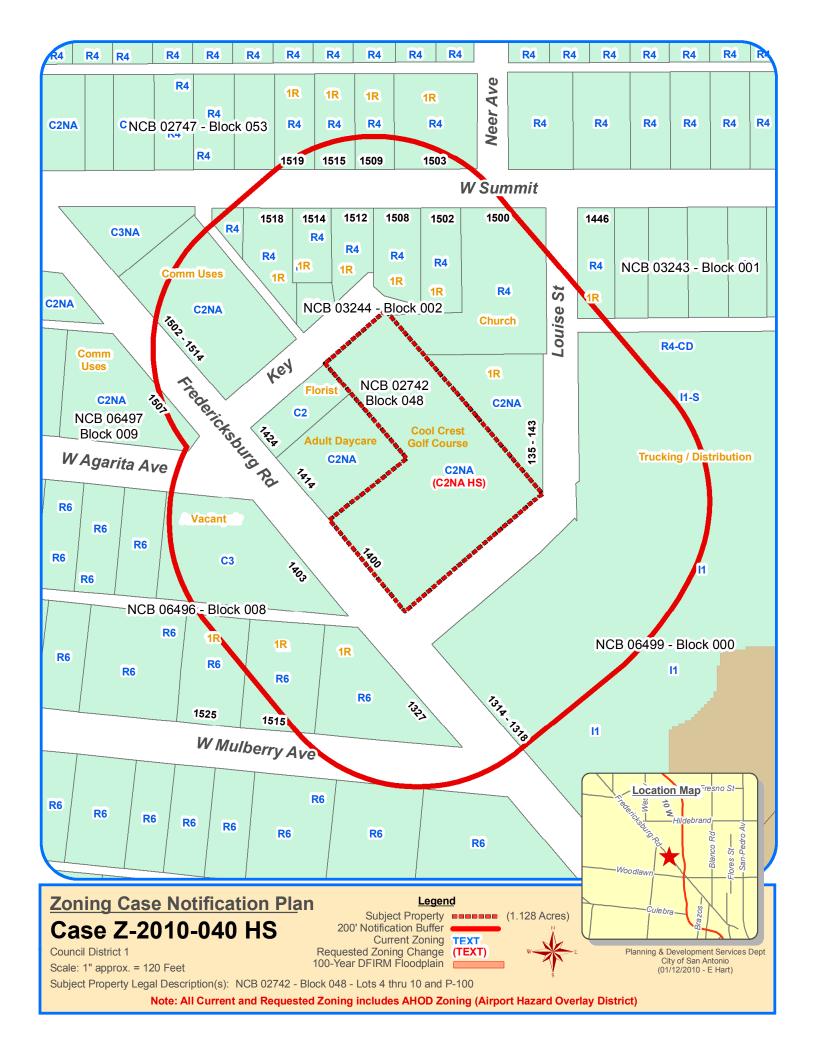


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key notes

project information

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CASE NO: Z2010040 HS

Final Staff Recommendation - Zoning Commission

Date: February 02, 2010

Council District: 1

Ferguson Map: 582 B8

Applicant Name:

COSA - Office of Historic Preservation

Maria Metzger

Zoning Request: From "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to "HS

C-2NA AHOD" Historic Significant Commercial Nonalcoholic Sales Airport Hazard Overlay

District.

Property Location: Lots 4 through 10, Parcel 100, Block 48, NCB 2742

1400 Block of Fredericksburg Road

On the northeast side of Fredericksburg Road between Louise Street to the southeast and

West Summit to the north.

Proposal: To designate Historic Significant.

Neigh. Assoc. Los Angeles Heights - Keystone Neighborhood Association, The Jefferson Neighborhood

Association is within 200 feet.

Neigh. Plan Near Northwest Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

The subject property is 1.128 acres in size and is located on the northeast side of Fredericksburg Road between Louise Street to the southeast and West Summit to the north. The property is adjacent to R-4 and C-2 zoning to the northeast, I-1 zoning to the southeast, C-2 zoning to the northwest and C-3 and R-6 zoning to the southwest. The surrounding land uses consist of a residential dwelling and church to the northeast, a trucking/distribution facility to the southeast, a florist and adult day care facility to the northwest and residential dwellings to the southwest.

The Historic Preservation Office recommends a finding of Historic Significance based on the evaluation criteria in Section 35-607 for the Designation of Historic Districts and Landmarks. On December 16, 2009, the Historic and Design Review Commission agreed with the Historic Preservation Office and is recommending approval of a finding of Historic Significance. Acting as the applicant for the zoning case, the Historic Preservation Office requests the zoning change. A copy of the Certificate of Appropriateness is included with this packet.

Pursuant to Texas Local Government Code §§ 211.001 and 211.003, historic districts and landmark designations are adopted in order to protect and preserve places and areas of historical, cultural, or architectural importance and significance. Historic districts and Landmark designation preserve and enhance the city's historic resources pursuant to Goal 2 of the Urban Design Element of the Master Plan.

The Near Northwest Community Plan designates the future land use of the subject property as Neighborhood Commercial. However, there is no request to change the base zoning district; therefore, the request does not require an amendment to the plan.

Brenda Valadez 207-7945

CASE MANAGER: Brenda Valadez 207-7945



CITY OF SAN ANTONIO

HISTORIC AND DESIGN REVIEW COMMISSION CERTIFICATE OF APPROPRIATENESS

December 16, 2009

HDRC CASE NO:

2009-391

ADDRESS:

1414 Fredericksburg Road

LEGAL DESCRIPTION:

NCB 2742 BLK 48 Lot 4 THRU 10 & P-100

APPLICANT:

City of San Antonio Office of Historic Preservation 1901 S. Alamo

OWNER:

Maria Metzger

TYPE OF WORK:

Finding of Historic Significance

REQUEST:

The applicant is requesting a Finding of Historic Significance for the Cool Crest Miniature Golf Course at 1414 Fredericksburg Road. Owner has met with Staff and is in favor of designation.

RECOMMENDATION:

Staff recommends approval of request for Finding of Historic Significance. Cool Crest Miniature Golf meets the following criteria for local landmark designation (Historic Significant):

- Its unique location or singular physical characteristics that make it an established or familiar visual feature [35-607(b)(7)];
- Its historical, architectural, or cultural integrity of location, design, materials, and workmanship [35-607(b)(8)];
- Architectural curiosities, one-of-a-king buildings and notable examples of architectural styles and periods or methods of construction [35-607(c)(1)(D)]; and
- Buildings or places which have come to represent a part of San Antonio's cultural heritage for at least twenty-five years [35-607(c)(2)(A)].

COMMISSION ACTION:

Approved as submitted.

Shanon Peterson Wasielewski Historic Preservation Officer

Request for City of San Antonio Local Landmark Designation Significance Statement

KNOWN AS: Cool Crest Miniature Golf

PROPOSED LANDMARK NAME (Common Name): Cool Crest Miniature Golf

ADDRESS: 1414 Fredericksburg Road

ZONING: C2NA

LEGAL DESCRIPTION: NCB 2742 BLK 48 LOT 4 THRU 10 & P-100

COUNCIL DISTRICT: 1

APPLICANT: City of San Antonio **OWNER:** Maria M. Metzger

TYPE OF WORK: Request for Finding of Historic Significance (Historic Significant)

Location & Description

On a hilltop site with soft music, flowing streams, fountains, flowers and banana trees blowing in cool breezes, sits the nostalgic Cool Crest Golf Course, a 36-hole miniature golf maze of entertainment located at 1414 Fredericksburg Road, west of downtown San Antonio. Cool Crest is unique in that the course was designed to be challenging with natural hazards built around the slope of a hill such as curves, angling paths, streams, and goldfish ponds. Cool Crest is a putter's paradise for all ages and brings fond memories to several generations.

History

A native of Texas, Harold Metzger owned a trucking company in the 1930's when he made a stop in Dallas and was invited to play miniature golf with a friend. After playing a couple of rounds of the relaxing game that was all the rage at the time, Metzger knew this was the business he wanted to pursue. He searched areas in Texas for a site that would provide for a difficult but not impossible course where golfers could practice their putting. He found his site in San Antonio on a property that overlooked the city. This same location had previously been used for a miniature golf site in 1929 also called Cool Crest. Metzger sold his truck, leased the land, and built the first 18-hole course himself. While other courses around the country were designed with artificial animal themes, windmills, and doll houses, Metzger had a different idea for an interesting golf course built to nature using the slopes of the hill, waterways and lush greenery as the course setting. The new Cool Crest opened in 1937 sporting the largest neon sign in San Antonio. Serious golfers, and those out for fun, all enjoyed this tricky course which became a big success.

After returning from World War II, Harold Metzger purchased his leased property and Cool Crest remained in operation. In 1957, Metzger met Maria, his wife to be, while visiting a golf course in Frankfurt, Germany where Maria lived and worked. They were soon married as Maria moved to San Antonio and worked along side Harold operating Cool Crest. When the evening crowds dispersed, the couple often played golf after hours listening to music that surged from the trees by artists like Dean Martin, Bing Crosby and Johnny Cash.

The Metzger's later added a second and more challenging 18-hole course in 1960 prompted by the rebirth of miniature golf's popularity in the 1950's. The courses were inviting enough

to entice pro golfers such as Don January and Bruce Lietzke to play them, and tournaments were held twice a year for those up for a good challenge. In fact, Metzger's courses were so well admired that he was asked to design several other miniature golf courses throughout Texas.

Maria Metzger continued to run Cool Crest after her husband passed away in 1998, serving many loyal customers that include up to four-generations of families that have made playing this course a tradition. It is estimated that tens of thousands of people have played golf at this memorable site. At this time Cool Crest is temporarily closed but will reopen at a later date.

Eligibility

Cool Crest Miniature Golf meets the following criteria for local landmark designation (Historic Significant):

- Its unique location or singular physical characteristics that make it an established or familiar visual feature [35-607(b)(7)];
- Its historical, architectural, or cultural integrity of location, design, materials, and workmanship [35-607(b)(8)];
- Architectural curiosities, one-of-a-king buildings and notable examples of architectural styles and periods or methods of construction [35-607(c)(1)(D)]; and
- Buildings or places which have come to represent a part of San Antonio's cultural heritage for at least twenty-five years [35-607(c)(2)(A)].

Sources

- 1. San Antonio Express News, "Metzger's 50-year-old firm is still up to par" by Chuck McCollough, September 14, 1987
- 2. San Antonio Business Journal, "Cool Crest doesn't putt around with gimmicky golf hazards", by Janice M. Curtis, November 9, 1987
- 3. San Antonio Express News, "60 Years of Big Fun" by Mary M. Fisher, August 31, 1997
- 4. San Antonio Express News, Miniature golf course is place of beauty, memories" by Mark Sobhani, September 22, 2003
- 5. Small Business Weekly, "Putt-putt venture scores a hole-in-one" by Torence White, August 18, 2006

Research and text by Lisa LeJune SACS volunteer August, 2009